

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

ELTON D. ANDERSON,

Plaintiff,

vs.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

CASE NO. 11-CV-3021-LAB-KSC

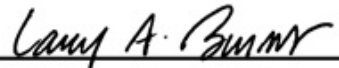
**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Pursuant to 28 U.S.C. § 636(b) and Civil Local Rules 72.1(c) and (d) this social security appeal was referred to Magistrate Judge Crawford for a Report and Recommendation ("R&R"). Now pending before the Court are cross motions for summary judgment. Judge Crawford issued her R&R on February 27, 2013, concluding that the Commissioner's motion should be granted and Mr. Anderson's motion should be denied. Mr. Anderson was given fourteen days to file an objection, or until Wednesday March 13. He failed to file one, though, which is of substantial consequence. See Fed. R. Civ. P. 72(b)(3) ("The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to."); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (district judge "must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise"). The Court has also independently

1 reviewed Judge Crawford's R&R and finds it be thorough and well-reasoned. The
2 Court therefore **ADOPTS** the R&R in its entirety, and the Commissioner's summary
3 judgment motion is **GRANTED** while Mr. Anderson's is **DENIED**.

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5 **IT IS SO ORDERED.**

6 DATED: March 15, 2013

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8 **HONORABLE LARRY ALAN BURNS**
9 United States District Judge
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